

**UNITED STATE DISTRICT COURT
DISTRICT COURT OF MASSACHUSETTS**

NKEM ECHEM,
Petitioner

v.

JOHN ASHCROFT
ATTORNEY GENERAL,
Respondent

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FILE NO:

ALIEN NO: A 46-117-237

**PETITIONER'S MOTION TO ALLOW FURTHER EVIDENCE IN SUPPORT OF
HER WRIT OF HABEAS CORPUS AND MOTION TO STAY REMOVAL**

Now comes the Petitioner and respectfully moves the Honorable Court to allow the additional evidence provided herewith in support of the writ of habeas corpus and to establish a prima facie of her claim to possible relief.

In support of the above statement the petitioner states as follows:

- (1). Petitioner Nkem Echem, is presently held in custody at the South Bay House of Correction, Boston, Massachusetts.
- (2). Petitioner was held removable under Section 237 (a)(1)(d)(i) of the INA; termination of her conditional residential status.
- (3). The Petitioner was removal based on an order in absentia by the Immigration Court for failure to appear for a hearing on May 16, 2001.

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(4). The Petitioner did not receive notice of the hearing date, and therefore had call to appear in Court.

(5). Petitioner has prepared her records in support of her claim and application for waiver from the requirement to file joint petition to remove the conditions status of her residency. The petitioner had further prepared herself in defense of her waiver and for claims under the battered spouse classification.

However the order of the IJ has prevented her from presenting her case on the merit.

The Petitioner has other possible sources of relief and regulation of her status. Her employment of 5 years would file an employment based petition for her adjustment of status to become permanent resident.

In the light of the foregoing the petitioner is asking the Honorable Court to allow the Attached, documents, which were part of the documents prepared by the petitioners in anticipation of the hearing in this matter.

RESPECTFULLY SUBMITTED,

The Petitioner
Nkem Echem

By her attorney


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Date: 2/8/ 2005